IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH

S.B. CRIMINAL MISC. PETITION NO.1990/07

Jai Prakash & Ors.

Versus

State

DATE OF ORDER :: 06/11/2007

HON'BLE MR. JUSTICE AJAY RASTOGI

Mr. Atul Kr. Jain, for petitioners
Mr. Arun Sharma, Public Prosecutor

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The charges have been framed against accused-petitioners for offence u/ss.498-A & 406 IPC.

Counsel for petitioners submits that no cause of action accrued at the place where FIR has been registered and petitioners are being tried by Court of learned Magistrate, Lakheri. In absence of territorial jurisdiction, trial initiated against them is incompetent.

Since order impugned is revisable u/s.397 Cr.P.C., this court is not inclined to exercise inherent jurisdiction available u/s.482 Cr.P.C.

Consequently, misc. petition stands dismissed. However, petitioners will be at liberty to file revision petition and since the matter remained pending for sometime, application for condonation, if filed under Limitation Act,

the same may be objectively considered. Relevant papers be made available to petitioners on furnishing xerox copies of the same.

[AJAY RASTOGI],J.

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